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MAY 30 2017
Office of Administrative Law Judges
San Francisco, Ca

May 30, 2017

VIA HAND DELIVERY

Honorable Steven B. Berlin
U.S. Department of Labor
Office of Administrative Law Judges
90 Seventh Street, Suite 4-800
San Francisco, CA 94103-1516

**Re: Office of Federal Contract Compliance Programs,
United States Department of Labor v. Google, Inc.
Case No.: 2017-OFC-00004**

Dear Judge Berlin:

On behalf of OFCCP and Google Inc., the parties jointly request the opportunity to submit simultaneous post-hearing briefing before this Court issues its decision. During the May 26, 2017 hearing, the Court stated that it would rule after it received a hearing transcript, but did not specify exactly when the Court would issue a decision. Hrg. Tr. 328:15-329:2. The Court also ordered counsel to brief an issue (which law governs the Court's decision in this matter) "by the end of next week"—*i.e.*, by June 2, 2017. *Id.* at 329:9-17. The Court also stated that post-hearing briefing is permitted, although the Court did not specify when such briefing would be due, perhaps due to uncertainty as to when the transcript for the proceeding would be available. *Id.* at 328:15-329:2.

Both parties intend to file post-hearing briefing. On May 30, 2017, counsel for the parties received a copy of the reporter's transcript for the May 26, 2017 proceedings. OFCCP and Google's counsel met and conferred, and agreed that a simultaneous deadline to file post-hearing briefing on all issues would be helpful to the parties and the proceedings. The parties therefore respectfully request that the Court issue an order permitting the parties to file and serve their post-hearing briefing no later than 4:00 p.m. PST on Friday, June 2, 2017. Such an order would allow the parties to submit their briefs simultaneously, such that neither has an advantage over the other. Additionally, a deadline of June 2, 2017 appears reasonable, given that the Court's deadline to

issue its decision is June 12, 2017. *See* 41 C.F.R. § 60-30.35 (Court must issue decision within 15 days of the hearing's conclusion on May 26, 2017); 29 C.F.R. § 18.32(a)(1) (If the last day of a period is a Saturday, "the period continues to run until the end of the next day that is not a Saturday.").

Very truly yours,

JACKSON LEWIS P.C.

A handwritten signature in blue ink that reads "Lisa Barnett Sween". The signature is fluid and cursive.

Lisa Barnett Sween, Esq.

OFFICE OF THE SOLICITOR OF LABOR

A handwritten signature in blue ink that reads "Ian Eliasoph". The signature is stylized with large loops.

Ian Eliasoph, Esq.

ACR/jd

cc: Matthew J. Camardella, Esq. (via email)
Daniel V. Duff, Esq. (via email)
Antonio C. Raimundo, Esq. (via email)
Amelia Sanchez-Moran, Esq. (via email)
Jeremiah Miller, Esq. (via email)
Marc A. Pilotin, Esq. (via email)